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Substitute for "Petition for Extension of Time Under 37 CFR 1.136(a)" PTO/SB/22(08-03)
Approved for use through 07/31/2006. OMB 0651-0031

Patent Case No. 18972PCA

1636\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donnelly et al.

Serial No.: 09/835,694

Filed: April 1, 2001

Group Art Unit: 1636

Examiner: Terry A. McKelvey

For: NUCLEIC ACID VACCINES AGAINST HUMAN INFLUENZA
VIRUS (as amended herein)

PETITION FOR EXTENSION OF TIME UNDER § 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant(s) hereby petition(s) to the Commissioner for Patents for an extension of the shortened statutory period for replying to the outstanding Office Action dated 10/3/03 in the above-identified application. A response to said Action is (is not) attached hereto.

Please charge the following fee to Deposit Account No. 13-2755:

- ☒ \$110 -- First Month Extension
☐ \$420 -- Second Month Extension
☐ \$950 -- Third Month Extension
☐ \$1480 -- Fourth Month Extension
☐ \$2010 -- Fifth Month Extension

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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 13-2755. Duplicate copies of this sheet are enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By J. Mark Hand Date Dec 1, 2003
MERCK & CO., INC.

Respectfully,

By: J. Mark Hand

Attorney _____ For Applicant(s)

Reg. No. 36,545

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Date: December 1, 2003

IN DUPLICATE